



Indiana Department of Natural Resources

Mitchell E. Daniels, Jr., Governor
Robert E. Carter, Jr., Director

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May 10, 2011

EI-18581
KB

Rachel D. Campbell
Director, Office of Proceedings
Surface Transportation Board
Washington, DC 20423-0001

Federal Agency: Surface Transportation Board

Re: Modification of notice of interim trail use in regards to the discontinuance of service by Toledo, Peoria, & Western Railway Corporation and abandonment by A & R Line, Inc of the railroad line between milepost 5.1W, near Kenneth in Cass County, and milepost 21.0W, near Winamac in Pulaski County (AB-847 [Sub #2X], AB-855 [Sub #1X]; DHPA #11528)

Dear Ms. Campbell:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f) and 36 C.F.R. Part 800, the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has conducted an analysis of the materials dated April 6, 2011 and received on April 11, 2011 for the above indicated project in Cass and Pulaski counties, Indiana.

Thank you for your recent submission. Based upon the documentation available to the staff of the Indiana SHPO, we have not identified any historic buildings, structures, districts, or objects listed in or eligible for inclusion in the National Register of Historic Places within the probable area of potential effects.

In terms of archaeology, no currently known archaeological resources eligible for inclusion in the National Register of Historic Places have been recorded within the proposed project area. No archaeological investigations appear necessary provided that all project activities remain within areas disturbed by previous construction.

Please be advised that Star City Cemetery will need to be avoided by all project activities and, if impacts are to occur within 100 feet of the cemetery, a development plan will need to be submitted to and approved by this office.

If any archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and 29) requires that the discovery must be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and 29 does not obviate the need to adhere to applicable federal statutes and regulations.

A copy of the revised 36 C.F.R. Part 800 that went into effect on August 5, 2004, may be found on the Internet at www.achp.gov for your reference. If you have questions about archaeological issues please contact Cathy Draeger-Williams at (317) 234-3791 or cdraeger-williams@dnr.IN.gov. If you have questions about buildings or structures please contact Chad Slider at (317) 234-5366 or cslider@dnr.IN.gov. Additionally, in all future correspondence regarding the above indicated project, please refer to DHPA #11528.

Very truly yours,

James A. Glass, Ph.D.
Deputy State Historic Preservation Officer

JAG:CWS:CDW:cdw